

June 8 2009

Ed Smith  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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*Attorneys for Plaintiffs/Appellants*

**IN THE SUPREME COURT OF THE STATE OF MONTANA**  
**Cause No. \_\_\_\_\_**

On Appeal from the Montana Twenty Second Judicial District Court  
Stillwater County

ROBERT HILTEN and LYNN HILTEN

Plaintiffs,

v.

ROY BRAGG,

Defendants

**NOTICE OF APPEAL**

**FILED**

JUN 08 2009

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CLERK OF THE SUPREME COURT  
STATE OF MONTANA

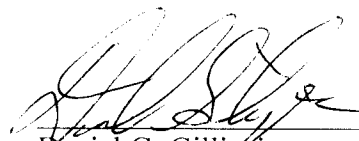
**NOTICE** is given that Robert Hilten and Lynn Hilten, the Appellants in this matter and Plaintiffs in the cause of action filed in the Montana Twenty Second Judicial District, in and for the County of Stillwater, as Cause No. DV 08-25, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 5<sup>th</sup> day of June, 2009.

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**THE APPELLANT FURTHER CERTIFIES:**

1. That this appeal is subject to the mediation process required by M.R. App. P. 7.  
The money judgment being sought is not less than \$5,000.
2. That this appeal is not an appeal from an order certified as final under M.R. Civ. P. 54(b).
3. That the notice required by M.R. App. P. 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.
4. That all available transcripts of the proceedings in Cause No. DV 08-25, Montana Twenty Second Judicial District, Stillwater County have been ordered from the Court Reporter contemporaneously with the filing of this Notice of Appeal.
5. That included herewith is the filing fee prescribed by statute.

DATED this 5<sup>th</sup> day of June, 2009.

  
\_\_\_\_\_  
Daniel G. Gillispie  
*Attorney for Plaintiffs and Appellants*

**CERTIFICATE OF SERVICE**

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of District court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Tom Singer  
AXILON LAW GROUP, PLLC  
PO Box 987  
Billings, Montana 59103-0987  
*Attorney for Defendant and Appellee*

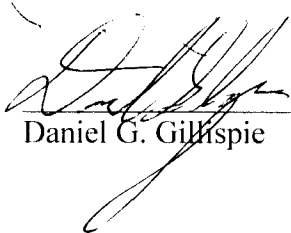
Sandy Fox  
PO Box 367  
Columbus, MT 59019-0367  
*Clerk of District Court – Stillwater County*

And a courtesy copy to:

Honorable Gregory R. Todd  
PO Box 35026  
Billings, MT 59107  
*District Court Judge*

Dated this 5<sup>th</sup> day of June, 2009.

BILLINGS LEGAL, PLLC



Daniel G. Gillispie